

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

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|----------------------------|---|-------------------|
| PETER GEORGE BATHGATE, II, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | 2:15-cv-00221-JAW |
| |) | |
| SCOTT LANDRY, |) | |
| |) | |
| Respondent. |) | |

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on February 9, 2016 his Recommended Decision (ECF No. 10). The Petitioner filed his objections to the Recommended Decision on March 25, 2016 (ECF No. 13). I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Petitioner's 28 U.S.C. § 2254 Petition (ECF No. 1) be and hereby is DISMISSED.

3. It is further ORDERED that no certificate of appealability should issue in the event the Plaintiff files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 4th day of April, 2016